BREACH OF CONTRACT REGULATION AMENDMENT BILL.

Mr. Rajaram Row.—The first business on the agenda is the introduction of the Bill to amend the Breach of Contract Regulation which stands in my name. I have drawn up the Bill but it has not been circulated and it will be necessary to suspend Rule 33 to enable me to introduce it. I am given to understand that the Madras Planters' Labour Bill is likely to be passed into law soon and as it contains several provisions which may have to be introduced in our Bill, it seems to me that it would be better for us to wait till the Madras Bill is passed. Otherwise, we may have to introduce several amendments at a later stage. I would, therefore, with the permission of the Council, postpone the introduction of the Bill for which I have obtained permission.

The motion was put and agreed to.

PRESS BILL.

Mr. Rajaram Row.—I beg to move that the Report of the Select Committee on the Press Bill be taken up for consideration.

Seconded by Mr. Nagam Aiya.

Carried.

Sections 3, 5 and 7.

Mr. Kunhiraman Nair.—I beg to propose that at the end of the form of declaration given in these sections the following be added: "and the last blank shall be filled up with a true and precise description of the place where such press may be situate."

The amendment is self-explanatory, the object being to obtain correct information as to the locality where a press is established.

Seconded by Mr. Rajaram Row.

Carried.

Section 10.

Mr. Kunhiraman Nair.—I beg to propose that the word "both" in line 1 be omitted and that in para 2, line 4, between "made" and "and" the words "another among the records of the District Court within whose original jurisdiction they may have been made" be inserted and that "third" be substituted for "other" in the same line. In British India, the procedure is to deposit one of the originals in the District Court so that parties may have the facility to inspect them and obtain copies. I think it will be a convenience to have the same provision here also. Hence the amendment.

Seconded by Mr. Rajaram Row.

Carried.

Mr. Rajaram Row.—In consequence of the amendment just carried, I beg to propose that the word "triplicate" be substituted for "duplicate" in sections 3, 5 and 7.

Seconded by Mr. Nagam Aiya.

Carried.

Section 12.

Mr. Kunhiraman Nair.—I beg to propose that the first part of this section be recast as follows:—

"A printed copy of the whole of every book which shall be printed in Travancore after this Regulation shall come into force, together with all maps, prints or other engravings belonging thereto, finished and coloured in the same manner as the

LIBRARY ARCHIVES Kerala Legislative Assembly

best copies of the same, shall, notwithstanding any agreement (if the book be published) between the printer and publisher thereof, be delivered by the printer at such place and to such officer as the Dewan shall, by notification in the official Gazette, from time to time direct, free of expense, within one calendar month after the day on which any such book shall first be delivered out of the press, the copy so delivered being bound, sewed or stitched together and upon the best paper on which any copy of the book shall be printed."

As the section now stands, a printer may be called upon to furnish three copies of every book printed in his press free of cost to the Government. I am inclined to think that, in the circumstances of this country and by way of encouragement to the Vernacular Literature which is still in its infancy, it would be desirable to relieve the printer of the obligation to furnish three copies free of cost. One copy of every book may be required to be furnished to Government for record free of cost but if the Government wish to obtain more copies, I think it is but fair that they should be paid for.

Seconded by Mr. Padmanabha Menon.

Mr. Rajaram Row drew the attention of the Council to the discussions which took place in the Supreme Legislative Council when the Bill which became Act X of 1890 was considered and read out extracts from the Proceedings of that Council relating to this question.

After some discussion, the amendment was carried.

Section 14.

Mr. Kunhiraman Nair.—I beg to propose that the last para of this section be omitted. The para I refer to declares that on payment of two rupees the author or publisher of a book registered in the Catalogue of Books mentioned in the section shall become entitled to the privileges of copyright in the same manner as if an entry had been made in the Book of Registry kept under Regulation II of 1039. That Regulation itself being not repealed by the present Bill, I think it will lead to some confusion if the para referred to is retained. All entries regarding copyright will as heretofore have to be made in the Register kept under Regulation II of 1039 and considesing that under that Regulation no fee is leviable on applications for copyright, I should think the procedure under that Regulation is more favorable to authors and publishers.

Seconded by Mr. Kuruvila.

Mr. Rajaram Row.—I think the para which it is proposed to omit only provides an additional facility for getting copyright registered. The practical inconvenience referred to might be removed by arranging for entries under this clause being transferred to the copyright register which is easily done.

President.—To have the same right conferred by entries made under the provisions of two separate Regulations cannot but lead to some confusion in practice. When a question arises as to whether the copyright of a particular book has been registered, a reference will naturally be made to the Register of Copyright kept under Regulation II of 1039, and if that Register contains no entries in regard to the particular book, a presumption would arise that no copyright in that book has been registered. This is a simple and well-understood procedure. The clause in the Bill now under consideration makes it possible for a person to acquire copyright on payment of a fee of two rupees without obtaining an entry in the Register of Copyright. The proposal to transfer the entries from one register to the other may not fully meet the difficulty, as a mere clerical oversight or neglect would seriously affect the accuracy of the Register. It is desirable to avoid all chances of such inaccuracy and confusion, especially where an important private right is conferred by an entry in the Register.

After some further discussion, the amendment was carried.

LIBRARY ARCHIVES Kerala Legislative Assembly

Section 25.

Mr. Kunhiraman Nair.—I beg to propose that the words "on the date this Regulation comes into force" be inserted between "who" and "own" in line 1, the words "on the said date" between "owning" and "a" in line 3 and the words "within three months from such date" between "shall" and "make" in line 7. The section refers to printing-presses and newspapers in existence on the date this Regulation comes into force, and it is necessary to fix a period within which the declarations in respect of them should be made under this Regulation. This is the more necessary as the section provides a penal clause for cases of failure to make the declarations. A period of three months would, I think, be sufficient.

Seconded by Mr. Kuruvila.

Carried.

At this stage, Mr. Padmanabha Menon requested the permission of the President to bring forward an amendment in section 9 of the Bill which prohibits the transmission by Unjel of indecent, obscene or scurrilous newspapers and books. He said that he got the agenda paper only the Saturday previous and had therefore no time to give intimation of his motion. The President drew his attention to section 7 of the Rules under which a Member is entitled to only three days' notice of the business to be transacted at each meeting and observed that, as the papers relating to the Bills before the Council had been furnished to him immediately on his appointment several months ago, he had ample time to give notice of any amendments he may have thought it necessary to introduce and that it would be unfair to the other Members that a motion affecting the principle of the section should be brought forward after the whole discussion on the Bill was practically over and the Council was about to proceed to the next business on the agenda.

The motion was therefore disallowed.

Mr. Rajaram Row.—I beg to move that the Bill as now amended be read again on a future day of which notice shall be given.

The motion was put and agreed to.

HINDU RELIGIOUS ENDOWMENTS BILL.

Mr.—K. Krishnan Pantala B. A. & B. L., High Court Vakil, having requested the Council for permission to be heard on behalf of Sankaran Atchutan Bhattathiri and others, Ooralmakars of certain Devaswoms in North Travancore, who had submitted a petition to the Council in reference to the Bill as amended by the Select Committee, the permission prayed for was granted. Mr. Krishnan Pantala addressed the Council at some length in support of the petition (copies of which had been already circulated among the members in due course) and argued the several points raised in the petition. At the close of his address, the Council promised to consider the points urged in the petition, and he withdrew.

As it was now 5–40. P. M. and there were several points to be considered in this Bill, the Council resolved to defer the consideration of the Bill to the next meeting.

WEIGHTS AND MEASURES BILL.

Mr. Rajaram Row.—I beg to present the Report of the Select Committee on the Weights and Measures Bill. The Report has not been signed by one of the members of the Select Committee, Mr. Dharmaraja Iyer, but he has empowered me to say that he agrees to the amendments made by the Committee. I beg to move that the Report and the amended Bill be published in the Gazette and the consideration of the Bill taken up at the next meeting.

The motion was put and agreed to.

LIBRARY ARCHIVES Kerala Legislative Assembly